IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No.4288 of 2006
Date of Decision: 15.09.2006

M/s Delhi Automobiles Private Limited ...Petitioner

Vs.

Ranbir Singh & Anr. ...Respondents

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.Sunil Chada, Advocate,
for the petitioner.

Vinod K.Sharma, J. (Oral)

This revision petition has been filed against the order dated 28.3.2006 passed by the learned Rent Controller dismissing an application moved under Order 39 Rules 1 and 2 read with section 151 of the Code of Civil Procedure (for short the Code) seeking ad-interim injunction restraining the petitioner landlord from in any manner alienating the suit property by way of lease or mortgage to defeat the rights of the tenant and from in any manner changing the structure of the tenancy premises during the pendency of application under Order 9 Rule 13 of the Code.

The learned Trial Court rejected the application primarily on the ground that as on date there is no relationship of landlord and tenant between the parties as an ex parte order passed against the tenant stands executed and he is no longer in possession. In view of this matter, the first part of relief claimed by the petitioner cannot be granted as no rider can be

placed on the rights of the owner of the property to deal with the property in the way he likes especially when the rights of the petitioner are duly protected under section 144 of the Code.

No merit. Dismissed.

(Vinod K.Sharma)
Judge

15.09.2006
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